

U.S. Application No. 10/036,677 Examiner Bui Art Unit 2611
Response to May 20, 2004 Office Action

AMENDMENT

IN THE CLAIMS:

Pursuant to 37 CFR § 1.121, below is a complete listing of all claims in the application that include (1) currently amended claims 1, 2, 13, and 15, (2) original claims 3-5, 7, 10-12, 14, 17, and 18; (3) previously amended claims 2, 6, 8, 9, and 16, (4) cancelled claims 19-22, and (5) new claims 23 and 24.

1. (currently amended) A method for evaluating the performance of a viewer watching a television programming stream, comprising the steps of:

receiving a broadcast of the television programming stream, the television programming stream comprising a televised broadcast transmission of at least one of a live media session and a recorded media session;

inserting an audio/video cue into the television programming stream, the audio/video cue associated with content of the television programming stream such that the audio/video cue prompts prompting the viewer during presentment of the television programming stream to provide an indicated response to an event within an indicated time period;

presenting the television programming stream and the audio/visual cue to a media delivery system device; and

if the viewer responds to the cue within the indicated time period, then:

detecting the indicated response to the event;

measuring a response time of the indicated response to the event, wherein the response time is the time between the time which event occurred and when the viewer provided the indicated response;

evaluating viewer performance based upon the response time such that the response time associated with the viewer is compared to one of another response time to another event and an averaged response time of two or more other events, and; and

providing an incentive to the viewer based upon the viewer's performance.

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2. (currently amended) The method of claim 1, further comprising the step of:

if the viewer does not respond to the cue within the indicated time period, then:
discontinuing presentment of the cue during the television programming
stream, and
continuing presentment of the broadcast of the television programming
stream without a subsequent audio/visual cue.

3. (original) The method of claim 1, wherein the event comprises an occurrence of audio/visual content broadcast to the viewer during the television programming stream.

4. (original) The method of claim 1, further comprising time-stamping the indicated response to the event.

5. (original) The method of claim 1, further comprising creating a viewer action's log from the indicated response and the response time.

6. (previously amended) The method of claim 5, further comprising comparing the viewer's action log to a known sequence of events.

7. (original) The method of claim 1, wherein the television programming stream comprises an advertisement.

8. (previously amended) The method of claim 1, wherein the indicated response to the event is provided by the viewer actuating a pushbutton key on a set-top box remote control unit which transmits an encoded signal to a set top box, when the viewer identifies the occurrence of audio/visual content.

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9. (previously amended) The method of claim 8, wherein the set-top box is operable for monitoring viewing habits and actions, collecting information, and receiving encoded television signals.

10. (original) The method of claim 1, wherein the incentive comprises at least one of: an award, a coupon, a discount, and a prize.

11. (original) The method of claim 1, further comprising transmitting the indicated response and the response time to a data-center.

12. (original) The method of claim 1, wherein the evaluating performance step comprises instant feedback to the viewer.

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13. (currently amended) A media delivery device for evaluating a viewer watching programming, comprising:

a decoder operable for decoding broadcast media programming into the media delivery device, wherein the broadcast media programming comprises a broadcast of a television programming stream and an occurrence of an audio/visual cue, the television programming stream comprising a televised transmission of at least one of a live media session and a recorded media session;

a viewer's action module operable for detecting a viewer's response to the occurrence of the audio/visual cues;

a timed response monitoring module operable for;

measuring a response time of the viewer's response; ~~and to the event,~~
wherein the response time is the time between the time which event occurred and when the viewer provided the indicated response, and

evaluating viewer performance based upon the response time such that the response time associated with the viewer is compared to one of another response time to another event and an averaged response time of two or more other events;

and

a processor operable for evaluating the viewer's response and the response time by comparing the viewer's response and the response time against any known sequence of events, wherein an incentive is provided to the viewer based upon the viewer's response and the response time.

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14. (original) The device of claim 13, further comprising:

a network connection operable for transmitting encoded signals between the media delivery device and an external network;

wherein the media delivery receives prompts from the external network, and the external network receives notification for the viewer's response and the response time.

15. (currently amended) The device of claim 13, the processor further operable for disabling presentment of a subsequent audio/visual cue if the viewer does not respond to the audio/visual cue within a selected time period such that the broadcast of the television programming stream continues uninterrupted without a subsequent audio/visual cue.

16. (previously amended) The device of claim 13, wherein the media programming comprises an advertisement.

17. (original) The device of claim 13, wherein the viewer's response to the occurrence of audio/visual cues is provided by the viewer actuating a pushbutton key on a set-top box remote control unit which transmits an encoded signal when the viewer identifies the occurrence of audio/visual cues.

18. (original) The device of claim 17, wherein the set-top box is operable for monitoring viewing habits and actions, collecting information, and receiving encoded television signals.

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19. (cancelled) A method for providing an incentive to a television viewer, comprising the steps of:

- inserting an occurrence of audio/visual cue into a television broadcasting stream;
- receiving an indicated response from the television viewer to the occurrence of the audio/visual cue;
- time-stamping the indicated response;
- comparing the time-stamped indicated response to a known sequence of events;
- and
- rewarding viewer behavior based upon the comparison of the time-stamped indicated response to the known sequence of events.

20. (cancelled) The method of claim 19, wherein the reward comprises an incentive, a discount, a coupon, and a prize.

21. (cancelled) The method as defined in claim 19 further comprising:

- inserting an occurrence of a second audio/visual cue into the television broadcasting stream;
- receiving a second indicated response from the television viewer to the occurrence of the second audio/visual cue;
- time-stamping the second indicated response;
- comparing the second time-stamped indicated response to the known sequence of events; and wherein the act of rewarding the viewer behavior is based upon the first and second comparison acts.

22. (cancelled) A method as claimed in claim 19, further comprising:

- receiving a signal from the viewer indicating a desire to participate in the viewer evaluation process.

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23. (new) A method, comprising the steps of:

receiving a broadcast of an interactive media content stream, the interactive media content stream having a television programming stream comprising a televised broadcast transmission of at least one of a live media session and a recorded media session and the interactive media content stream further having an audio/video cue associated with content of the television programming stream such that the audio/video cue prompts the viewer during presentment of the television programming stream to provide an indicated response to an event within an indicated time period;

presenting the interactive media content stream to a media delivery system device;

and

if the viewer responds to the cue within the indicated time period, then:

detecting the indicated response to the event,

measuring a response time of the indicated response to the event, wherein the response time is the time between the time which event occurred and when the viewer provided the indicated response,

evaluating viewer performance based upon the response time such that the response time associated with the viewer is compared to one of another response time to another event and an averaged response time of two or more other events, and

providing an incentive to the viewer based upon the viewer's performance.

24. (new) The method of claim 23, further comprising the step of:

if the viewer does not respond to the cue within the indicated time period, then:

discontinuing presentment of the cue during the television programming stream, and

continuing presentment of the broadcast of the television programming stream without presentment of a subsequent audio/visual cue.